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OFFICE OF PETITIONS

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Attorney Docket No. P67758US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jan BIESCHKE et al.

Attn: Office of PCT Legal Administration

Application No.: 10/089,233

Filed: March 28, 2002

For QUANTITATIVE ANALYSIS AND TYPING OF SUBCELLULAR PARTICLES

RENEWED PETITION TO REVIVE UNDER 37 CFR 1.137(b)

Mail Stop PCT
Commissioner for Patents
Office of PCT Legal Administration
P.O. Box 1450
Alexandria, VA 22313

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12 JUL 2005
Legal Staff
International Division

Sir:

Petition is renewed under 37 CFR 1.137(b) to revive the subject application, abandoned for not filing an acceptable reply to the Notification of Defective Response (mailed February 6, 2003). The instant petition is filed following Decision On Request Under 37 CFR 1.137(b), dated 12 May 2005 (the "Decision"), by which the (original) petition to revive (filed 02 February 2004) was dismissed without prejudice.

In accordance with the Decision, the instant petition meets the requirements of 37 CFR 1.137(b), in that (1) the proper reply (i.e., "a new declaration by all the inventors accompanied by satisfaction of the requirements of 37 CFR 1.497(d)") was previously filed (i.e., with the original petition to revive), (2) the required petition fee was previously filed (i.e., with the original petition to revive), and (3) the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition was unintentional.

Applicants wish to thank Attorney Advisor Cynthia M. Kratz (PCT Legal Office) for the courteous consideration rendered applicants' representative during a telephone conference on or about May 20, 2005. Applicants understanding, pursuant to the telephone conference, is that a renewed petition to revive will receive favorable consideration if the renewed petition supplements the original petition by making the aforesaid statement regarding the "entire delay."

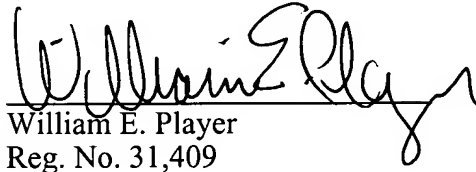
Should any further fees be required in connection with this petition, please charge the fees to Deposit Account No. 06-1358.

Granting of the instant petition is requested.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By


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